

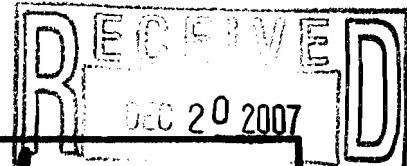
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MEMO ENDORSED

December 19, 2007

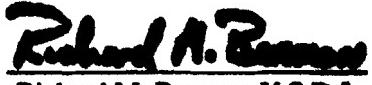


BY HAND DELIVERY

Hon. Richard M. Berman
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *Pernis v. Richter + Ratner Contracting Corp.*,
07 CV 5787 (RMB)

Dear Judge Berman:

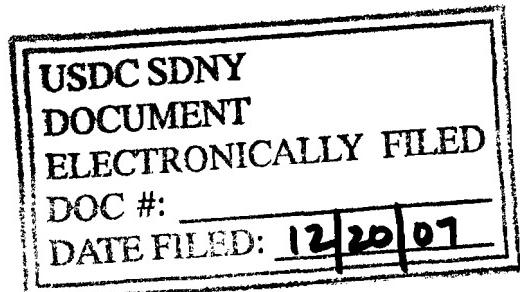
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|---|--|
| <i>Conferences adjourned to 2/19/08 (A) 11:00 A.M. Application to extend discovery deadline granted.</i> | |
| SO ORDERED: Date: 12/20/07 | |
|  Richard M. Berman, U.S.D.J. | |

This firm represents Defendant Richter + Ratner Contracting Corp. in the above-captioned action. The Scheduling Order in this case provides that all discovery be completed by January 4, 2008. The Scheduling Order was entered by the Court September 4, 2007 – before an Amended Complaint was filed in this case. The parties later fully briefed a Motion to Dismiss in early November, and that motion is still before the court at this time; no Amended Answer has been served.

The parties have discussed production, and scheduling depositions, and agree that meeting the deadline (considering the holidays and the end of the calendar year) will be difficult logistically, as well as expensive. Counsel, therefore agree that a 40-day extension of the current deadlines set forth in the Scheduling Order would provide sufficient time to fully produce and explore the relevant documents in this case, and depose all necessary witnesses, without unduly delaying the action. No previous requests for adjournments have been made.

Accordingly, the parties respectfully propose that the deadlines currently set forth in the Scheduling Order be extended as follows:

- 1) Fact Discovery Completed: February 14, 2008.
- 2) Status Conference : February 18, 2008.



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The parties have conferred in good faith regarding these discovery issues, in order to avoid unnecessary and uneconomical briefing. Thank you for your time and consideration.

Respectfully submitted,
Randi B. May
Randi B. May

cc: Zeynel Kacioglu (By Hand)